

Notice of Allowability

Application No.

10/560,671

Examiner

Jurie Yun

Applicant(s)

MATTSON, RODNEY A.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 7/2/07.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

The amendment filed 7/2/07 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony M. Del Zoppo III on 8/7/07.

The application has been amended as follows:

In claim 1, line 14, after "for a" insert --computed--

In claim 1, line 15, after "wherein the" insert --computed--

In claim 1, line 18, after "during the" insert --computed--

In claim 2, line 2, delete "radiation controlling means" and replace with --means for controlling the x-ray source to pulse--

In claim 11, line 3, after "parameters for" delete "a" and replace with --the--

In claim 11, line 4, delete "tomography" and replace with --tomographic--

In claim 12, line 3, delete "stationery" and replace with --a stationary--

In claim 12, line 4, before "rotating gantry" insert --a--

In claim 12, line 5, delete "bearings" and replace with --bearing--

In claim 12, line 6, delete "stationery" and replace with --stationary--

In claim 13, line 1, after "to plan a" insert --computed--

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In claim 13, line 12, after "for a" insert --computed--

In claim 15, line 2, delete "an x-ray" and replace with --the x-ray--

In claim 15, line 3, delete "an x-ray" and replace with --the x-ray--

In claim 15, line 5, delete "a subject" and replace with --the subject--

In claim 22, line 2, after "performing the" insert --computed--

In claim 22, line 3, after "for the" insert --computed--

Allowable Subject Matter

Claims 1-22 are allowed.

The following is an examiner's statement of reasons for allowance:

Prior art fails to disclose a diagnostic imaging system comprising a means for reconstructing a pilot scan of the subject from the radiation detected when the x-ray source was pulsed at the selected angular location as the subject was translated through the examination region, and a means for controlling the x-ray source to emit radiation for a computed tomographic scan, wherein the computed tomographic scan is based on the pilot scan and the radiation is detected by the means for detecting transmitted radiation, and a means for reconstructing volumetric image data based on the radiation detected during the computed tomographic scan, as claimed in claim 1.

Claims 2-12 and 22 are allowed due to their dependency on claim 1.

Prior art fails to disclose a method for using a pilot scan to plan a computed tomographic scan, the method comprising reconstructing a pilot scan of the subject from the radiation detected when the x-ray source was pulsed at the selected angular location as the subject was translated through the examination region to generate an

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image, and determining scan parameters for a computed tomographic scan based on the image, as claimed in claim 13. Claims 14-21 are allowed due to their dependency on claim 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

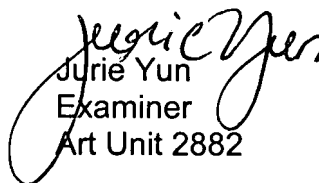
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jurie Yun whose telephone number is 571 272-2497. The examiner can normally be reached on Monday-Friday 8:30-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on 571 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Julie Yun
Examiner
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August 7, 2007